GOVERNMENT OF ANDHRA PRADESH
ABSRACT

Public Services - PR&RD Dept. – Allegation of inordinate delay in submitting report to Government – Departmental action against Sri E.Krishna Mohan, the then Assistant Commissioner, O/o Commissioner, PR&RD, AP, under Rule 20 of the A.P. Civil Services (Classification, Control and Appeal) 1991 — Article of Charges - Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.V) DEPARTMENT

G.O.RT.No. 453 **Dated: 13-08-2021.**

Read the following:-

1.From the High Court of AP., orders in WP No.15788 of 2020 dt.12.10.2020.
2. From Sri I.V. Narasimha Rao, E.O. Gr-I(Retd)- Pamidimukkala Mandal, Krishna District, Appeal dt.07.11.2020.
3. Memo No.PRR01-1279934/2020-Vig.V, Dated:18.11.2020.
4. Letter No. PRRO-12021/17/2020-B1-COMMR PRRD/11816/2009, dt:2.8.2021 received from the CPR&RD, A.P., Tadepalli, Guntur dist.
5. Govt.Memo No.PRR01-1279934/2020-Vig.V, Dated:09.08.2021.
6.G.O.Ms.No.58, PR&RD(Vig.V)Depatment, Dated.13.08.2021.

ORDER:

It is proposed to hold an enquiry against Sri E.Krishna Mohan, the then Assistant Commissioner, O/o.Commissioner, PR&RD, AP in accordance with the procedure laid down in Rule 20 of A.P. Civil Services (CC&A) Rules 1991.

2. The substance of the Imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Article of Charge (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the Article of Charges are proposed to be sustained are enclosed (Annexure-III & IV).

3. Sri E.Krishna Mohan, the then Assistant Commissioner, O/o Commissioner, PR&RD, AP is directed to submit his written statement of his defence within (10) days from the date of receipt of this order.

4. Sri E.Krishna Mohan, the then Assistant Commissioner, O/o Commissioner, PR&RD, AP is informed that an enquiry will be held only in respect of that article of Charge which is not admitted. He should therefore, specifically, admit or deny each article of charge.

5. Sri E.Krishna Mohan, the then Assistant Commissioner, O/o Commissioner, PR&RD, AP is further informed that if he does not submit his written statement of defence on or before the date specified in Para-3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of A.P. (CC&A) Rules, 1991 or the order/ directions issued in pursuance of said rules, the Inquiry authority hold the inquiry against him exparte, based on the material available.

6. Sri E.Krishna Mohan, the then Assistant Commissioner, O/o Commissioner, PR&RD, AP, is invited to Rule 24 of the A.P. Civil Services (Conduct) Rules 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from any person in respect of any matter dealt within these Proceedings, it will be presumed that he is aware of such a representation and that it has been made

at his instance and action will be taken against him for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules 1964.

7. The receipt of the proceedings shall be acknowledged along with Annexure-I, II, III and IV.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri E.Krishna Mohan, the then Assistant Commissioner, O/o Commissioner, PR&RD, AP **through** the Commissioner, PR&RD, Tadepalli, Guntur District.
The Commissioner, PR&RD, Tadepalli, Guntur District (With a request to Serve Charge Memo on the Charged Officer with dated signature and send the same for record).
SC/SF(1279934)

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXERE – I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI E.KRISHNA MOHAN, THE THEN ASSISTANT COMMISSIONER, O/O COMMISSIONER, PR&RD, AP.

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Article of Charge:

That the said Sri E.Krishna Mohan, the then Assistant Commissioner, O/o Commissioner, PR&RD, AP has failed to initiate appropriate action to submit report to Government thereby caused inordinate delay in finalizing the appeal of Sri I.V. Narasimha Rao, Retd.Panchayat Secretary (E.O. Gr-I) - Pamidimukkala Mandal, Krishna District.

Thus Sri E.Krishna Mohan, the then Assistant Commissioner, O/o Commissioner, PR&RD, AP by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule – 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI E.KRISHNA MOHAN, THE THEN ASSISTANT COMMISSIONER, O/O COMMISSIONER, PR&RD, AP.

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Vide proceedings No.11816/CPR&RD/B1/2009, dt.16.06.2015 the CPR&RD, AP has imposed minor penalty of withholding one Annual Grade Increment of pay without cumulative effect against Sri I.V. Narasimha Rao, former Panchayat Secretary (EO Grade-1) (now retired), Ravulapalem Mandal, East Godavari District.

2. Aggrieved by the said punishment, Sri I.V. Narasimha Rao, former Panchayat Secretary (EO Grade-1) (now retired), Ravulapalem Mandal, East Godavari District has fled WP No. 15788 of 2020 before the Hon'ble High Court of AP with a prayer to direct the respondent to dispose his appeal early, since it was presented in the year 2015, after affording an opportunity of hearing.

3. The Hon'ble High Court of AP in its orders dt.12.10.2020 while disposing of W.P, has directed the respondent to consider and dispose of the appeal preferred by the petitioner against the orders dt.16.06.2015 in the proceedings No.11816/CPR&RD/B1/2009 , by the Commissioner, PR&RD within (08) weeks from the date of receipt of representation from the petitioner and petitioner is directed to present a representation for this purpose, within (02) weeks from the date of receipt of copy of this order.

4. Accordingly, Sri I.V. Narasimha Rao, Panchayat Secretary (Retd), Pamidimukkala Mandal, Krishna District has submitted an appeal dt.07.11.2020 to Government to drop the punishment of minor penalty of withholding one Annual Grade Increment of pay without cumulative effect against him by Commissioner, PR&RD in accordance with orders in WP No. 15788 of 2020 of the Hon'ble High Court of AP.

5. Government vide Memo No.PRR01-1279934/2020-Vig.V, Dated:18.11.2020, have requested to the Commissioner, PR&RD to furnish connected records and his remarks on the appeal to the Government for taking further action, immediately, so as to avoid further legal compilations in the matter.

6. After persuasion over phone by higher authorities, report has been received vide letter No. PRRO-12021/17/2020-B1-COMMR PRRD/11816/2009, dt:2.8.2021 from the O/o.CPR&RD, A.P., Tadepalli, Guntur dist.

7. As per the record submitted in the aforesaid letter, Dt.02.08.2021, it is observed that, after receipt of Govt.Memo No.PRR01-1279934/2020-Vig.V, Dated:18.11.2020 in O/o.CPR&RD, AP, after lapse of 2 ½ months, Sri J.Sai Krishna, Junior Assistant, B-Section, put-up e-file for orders to send a request to Record Room (I-Section) for handing over the disposal of connected file bearing No.11816/CPR&RD/B1/2009 to Smt I.Savithri, Administrative Officer and Sri E.Krishna Mohan, Assistant Commissioner.

8. After receipt of orders, B-Section has addressed U.O.Note No.1205746/CPR&RD/B1/2020, Dt.13.02.2021 to the Administrative Officer, I-Section and the Assistant, Record Room with a request to handover the file bearing No.11816/CPR&RD/B1/2009 to A.O, B-Section for taking further necessary action.

9. But, to the surprise, the Assistant Commissioner, the personnel of B-Section and the I-Section never taken care to remind the instructions and forgotten follow up action to hand over/ taken over the record till persuasion by Government i.e, till nearly 9 months. Thereby caused inordinate delay to submit report to the Government as called

for vide Govt.Memo No.PRR01-1279934/2020-Vig.V, Dated:18.11.2020 till persuasion of higher authorities of PR&RD Department, A.P.Secretariat.

10. Thus, they have failed to attend their legitimate duties and thereby caused inordinate delay in dealing and disposing the grievance submitted in Appeal, Dt.07.11.2020 by Sri I.V. Narasimha Rao, Panchayat Secretary (Retd), Pamidimukkala Mandal, Krishna District by the Government i.e, PR&RD Department, A.P.Secretariat and that the orders of the Hon'ble High Court of AP., in WP No.15788 of 2020, dt.12.10.2020 are not adhere to, in disposing of the appeal of the petitioner in W.P i.e, Sri I.V. Narasimha Rao, Panchayat Secretary (Retd), Pamidimukkala Mandal, Krishna District in the time limit of (08) weeks specified therein.

11. After receipt of report of Commissioner, PR&RD, AP in letter no. PRRO12021/17/2020-B1-COMMR PRRD/11816/2009, dt:2.8.2021, the Appeal, Dt.07.11.2020 by Sri I.V. Narasimha Rao, Panchayat Secretary (Retd), Pamidimukkala Mandal, Krishna District has been disposed of vide Govt. Memo No.PRR01-1279934/2020-Vig.V, Dated:09.08.2021.

12. The above mentioned facts clearly established slack supervision, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Govt. Servant, in contravention of Rule – 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Hence, the charge.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI E.KRISHNA MOHAN, THE THEN ASSISTANT COMMISSIONER, O/O COMMISSIONER, PR&RD, AP ARE PROPOSED TO BE SUSTAINED

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1.From the High Court of AP., orders in WP No.15788 of 2020 dt.12.10.2020.
2.From Sri I.V. Narasimha Rao, E.O. Gr-I(Retd)- Pamidimukkala Mandal, Krishna District, Appeal dt.07.11.2020.
3. Govt.Memo No.PRR01-1279934/2020-Vig.V, Dated:18.11.2020.
4.U.O.Note.No.1205746/CPR&RD/B1/2020, Dt:13.02.2021
5.Letter No. PRRO-12021/17/2020-B1-COMMR PRRD/11816/2009, dt:2.8.202 received from the CPR&RD, A.P., Tadepalli, Guntur dist.
6. Govt.Memo No.PRR01-1279934/2020-Vig.V, Dated:09.08.2021

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI E.KRISHNA MOHAN, THE THEN ASSISTANT COMMISSIONER, O/O COMMISSIONER, PR&RD, AP ARE PROPOSED TO BE SUSTAINED.

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- NIL **-**

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER